



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

May 18, 1998

H.R. 3494

Child Protection and Sexual Predator Punishment Act of 1998

As ordered reported by the House Committee on the Judiciary on May 6, 1998

SUMMARY

H.R. 3494 would establish new crimes related to sexual offenses against children and increase fines and maximum sentences for some existing crimes involving the abduction and sexual abuse of children. This bill also would expand the government's forfeiture authority to certain sexual offenses. In addition, H.R. 3494 would restructure the existing Morgan P. Hardiman Missing and Exploited Children's Task Force into a resource center within the Federal Bureau of Investigation (FBI) to more effectively address cases of child abduction and serial murders.

Assuming appropriation of the necessary amounts, CBO estimates that implementing the bill would result in additional costs of about \$32 million over the next five years to accommodate more prisoners in federal prisons and to operate the proposed FBI resource center. Because enactment of H.R. 3494 could affect direct spending and receipts as a result of additional fines and forfeiture receipts, pay-as-you-go procedures would apply to the bill. However, CBO estimates that any impact on direct spending and receipts would not be significant.

H.R. 3494 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act of 1995 (UMRA) and it would impose no costs on the budgets of state, local, and tribal governments. By providing federal training opportunities and investigative support, the bill may augment state and local investigations of child abduction and sexual abuse.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

Assuming the appropriation of the necessary amounts, CBO estimates that implementing H.R. 3494 would increase spending for prison operating costs by about \$6 million over the 1999-2003 period, and would increase spending for FBI operating costs by about \$26 million over the same period. The estimated budgetary impact of H.R. 3494 is shown in the

following table. The costs of this legislation fall within budget function 750 (administration of justice).

	By Fiscal Year, in Millions of Dollars					
	1998	1999	2000	2001	2002	2003
SPENDING SUBJECT TO APPROPRIATION						
Spending Under Current Law for FBI and Prison Operations						
Estimated Authorization Level ^a	5,537	5,777	5,998	6,218	6,416	6,682
Estimated Outlays	5,116	5,624	5,934	6,156	6,528	6,617
Proposed Changes						
FBI Operating Costs						
Estimated Authorization Level	0	5	5	5	5	6
Estimated Outlays	0	4	5	5	5	6
Prison Operating Costs						
Estimated Authorization Level	0	0	1	1	2	2
Estimated Outlays	0	0	1	1	2	2
Total Spending Under H.R. 3494 for FBI and Prison Operations						
Estimated Authorization Level	5,537	5,782	6,004	6,224	6,423	6,690
Estimated Outlays	5,116	5,628	5,940	6,162	6,535	6,625

CHANGES IN REVENUES AND DIRECT SPENDING

Additional Fines and Forfeiture Receipts						
Estimated Revenues	0	b	b	b	b	b
Spending from Crime Victims Fund						
Estimated Budget Authority	0	b	b	b	b	b
Estimated Outlays	0	b	b	b	b	b

a. The 1998 level is the amount appropriated for that year. The estimated authorization levels for 1999 through 2003 reflect CBO baseline estimates, assuming adjustment for inflation.

b. Less than \$500,000.

BASIS OF ESTIMATE

For purposes of this estimate, CBO assumes that H.R. 3494 will be enacted by October 1, 1998, and that the estimated authorization amounts will be appropriated for each fiscal year.

Spending Subject to Appropriation

Based on information from the FBI, CBO expects that the FBI would require about \$5 million in appropriated funds in 1999 and a total of \$26 million over the next five years to meet the increased responsibilities specified under the bill. Currently, the FBI manages a nationwide task force to address child abductions. This additional funding would be required to establish and operate a centralized resource center at the FBI's training facility in Quantico, Virginia, that would assist federal, state, and local law enforcement authorities in their investigation of various crimes involving children. The funding would cover the costs of salaries and benefits for additional agents and support personnel, data base support, and resources required for training assistance for state and local law enforcement authorities.

According to the U.S. Sentencing Commission, about 150 prisoners each year would be affected by the bill's provisions, with the majority of those prisoners likely to serve—on average—an additional year in prison under H.R. 3494. At an annual cost per prisoner of about \$9,000 (at 1998 prices), CBO estimates that the cost to support these additional prisoners would total about \$6 million over the 1999-2003 period. This estimate assumes that no additional prisons would be constructed over the next five years to accommodate this increase in prison population.

Because CBO expects that states will continue to prosecute the majority of sexual offenses, we do not expect that the likely increase in the number of prosecutions and convictions as a result of this bill would lead to any significant increase in the federal prison population. Any additional costs for prison operations would be subject to the availability of appropriations.

Revenues and Direct Spending

Enacting H.R. 3494 could increase revenues, but CBO expects that the federal government would not collect a significant amount of additional fines from sexual predators who are prosecuted under federal law. Such fines are recorded in the budget as governmental receipts, or revenues, which are deposited in the Crime Victims Fund and spent in the following year. Because any increase in direct spending would equal the fines collected with a one-year lag, the additional direct spending also would be insignificant. CBO further estimates that enacting H.R. 3494 would result in little or no change in the amount of receipts deposited in the Assets Forfeiture Fund.

PAY-AS-YOU-GO CONSIDERATIONS

Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 sets up pay-as-you-go procedures for legislation affecting direct spending or receipts. Although enacting H.R. 3494 could affect both direct spending and receipts, CBO estimates that any such effects would be less than \$500,000 a year.

ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS

H.R. 3494 contains no intergovernmental mandates as defined in UMRA and it would impose no costs on the budgets of state, local, or tribal governments. By providing federal training opportunities and investigative support, the bill may augment child abduction and sexual abuse investigations at the state and local level.

ESTIMATED IMPACT ON THE PRIVATE SECTOR

H.R. 3494 would impose no private-sector mandates as defined in UMRA.

ESTIMATE PREPARED BY:

Federal Costs: Susanne S. Mehlman

Impact on State, Local, and Tribal Governments: Leo Lex

ESTIMATE APPROVED BY:

Robert A. Sunshine

Deputy Assistant Director for Budget Analysis